

25.09.2020
Court No.12
Item No. 12
rpan
Bail

**CRM 7105 of 2020
with
CRAN 1 of 2020
(Via video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Barasat P.S. Case No. 181 of 2020 dated 14.04.2020 under Section 376 of the Indian Penal Code read with Section 4 of the Protection of Children From Sexual Offences Act;

And

In Re : **Ripon Das**

.....Petitioner

Mr. Ujjal Kumar Ray

....For the Petitioner.

Mr. S. S. Imam,

Mr. Subrato Roy

...For the State.

Heard the learned advocates appearing on behalf of the parties.

Petitioner undertakes to affirm and stamp the petition/application as per Rules within one month of resumption of normal functioning of the court. Subject to such undertaking, the application is taken up for hearing through video conference.

The application, being CRAN 1 of 2020, is disposed of.

It is submitted on behalf of the petitioner that he has been falsely implicated in the instant case. He is in custody for 163 days.

Learned lawyer for the State opposes the prayer for bail and submits that the victim is a 16-year old girl.

We have considered the materials on record including the statement of the victim girl which discloses that there was a love affair between the

petitioner and the victim girl. In view of the aforesaid fact and the period of detention suffered by the petitioner, we are inclined in granting bail to the petitioner.

Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under POCSO Act, North 24-Parganas at Barasat, and on condition that the petitioner shall appear before the Trial Court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the Trial Court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

The application for bail, being CRM No. 7105 of 2020, is disposed of.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Kausik Chanda, J.)

(Joymalya Bagchi, J.)